

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
Shunpei YAMAZAKI et al. )  
 )  
Serial No.: 10/705,604 )  
 )  
Filed: November 10, 2003 )  
 )  
For: Manufacturing Method Of Emitting )  
Device )  
 )  
Examiner: James Lin )  
 )  
Confirm No.: 6065 )  
 )  
Art Unit: 1762 )

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**WITHDRAWAL OF APPEAL**

Applicants are withdrawing the Notice of Appeal filed December 16, 2008 in light of the RCE, IDS and amendment filed herewith for the above-identified application.

**Withdrawal of Appeal**

In response to the Final Rejection of August 19, 2008, Applicants filed a Notice of Appeal and Request for Pre-Appeal Brief Review on December 16, 2008. On February 24, 2009, a Notice of Panel Decision from Pre-Appeal Brief Review was issued with a decision on the pre-appeal brief review stating that the application remains under appeal because there is at least one actual issue for appeal.

Applicants are now withdrawing their appeal and filing an amendment, a RCE and an IDS.

Accordingly, it is respectfully requested that the appeal be withdrawn, and the amendment, RCE and IDS entered and considered at this time.

#### Conditional Extension of Time

As this submission is being filed within two months of the Notice of Panel Decision from Pre-Appeal Brief Review dated February 24, 2009, a one extension of time is being filed herewith. If any further extension of time is needed, please consider this the necessary petition for such an extension of time and please charge our deposit account 50/1039 for any fee due.

#### Conclusion

It is respectfully requested that the appeal be withdrawn, and the amendment, RCE and IDS entered and considered at this time.

If any fee should be due for this withdrawal of appeal, please charge our deposit account 50/1039.

Favorable consideration is earnestly solicited.

Date: April 20, 2009

Respectfully submitted,

/Mark J. Murphy/  
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